

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/MX2004/000055	International filing date (day/month/year) 30.07.2004	Priority date (day/month/year) 31.07.2003	
International Patent Classification (IPC) or national classification and IPC A47G1/06			
Applicant SOSA BRAVO, Juan, Antonio			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of _____ sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input checked="" type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/ES	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
 - international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
 - the international application as originally filed/furnished
 - the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____
 - the claims:

nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* _____ received by this Authority on _____

nos.* _____ received by this Authority on _____
 - the drawings:

sheets _____ as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____
 - a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:
 - the description, pages _____
 - the claims, nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (*specify*): _____
 - any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages _____
 - the claims, nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (*specify*): _____
 - any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. IV Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:
 - restricted the claims.
 - paid additional fees.
 - paid additional fees under protest.
 - neither restricted the claims nor paid additional fees.
2. This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
 - complied with.
 - not complied with for the following reasons:

It is considered that there are two inventions, namely invention 1: claims 1 to 12 relating to the coupling system or clamps for holding together the rear holder and the transparent cover of an assembly for displaying lamellar objects; and invention 2: claims 13 to 16 relating to the fact that the rear holder of a display assembly consists of mutually connectable modular components.
4. Consequently, this report has been established in respect of the following parts of the international application:
 - all parts.
 - the parts relating to claims Nos. _____

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims <u>1-12</u>	YES
	Claims <u>13-16</u>	NO
Inventive step (IS)	Claims <u>4, 5</u>	YES
	Claims <u>1-3, 6-12, 13-16</u>	NO
Industrial applicability (IA)	Claims <u>1-16</u>	YES
	Claims _____	NO

2. Citations and explanations (Rule 70.7)

Documents taken into consideration:

- D1: US 1 548 249 A (04.08.1925)
- D2: RU 2 180 256 C (10.03.2002)
- D3: DE 218 495 C (20.10.1908)
- D4: US 3 981 091 A (21.09.1976)
- D5: DE 2 446 630 A (15.04.1976)
- D6: FR 2 325 342 A1 (22.04.1977)
- D7: US 4 509 278 A (09.04.1985)
- D8: EP 0 262 282 A1 (06.04.1986)

Firstly, the present application lacks unity of invention and, as a result, two groups of claims have been examined separately, starting with claims 13 to 16 relating to a rear holder for a display assembly consisting of modular components.

The cited documents are discussed first in connection with claims 13, 14, 15 and 16, which constitute the second invention of the present application.

Documents D1, D2 and D3 all describe frames suitable for use as the rear holder according to the invention. It is

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obvious from the drawings of said documents that the frames in question consist of modular components that can be coupled together (claim 13) and include corner components and straight components (claim 14), that the couplings are of the plug and socket type (claim 15), and that the inner edges of the components comprise flanges for clamping a component that covers the central hole (claim 16). The latter feature is commonplace in the technical field in question.

The remaining documents are discussed below in connection with the first invention claimed (claims 1 to 12), which relates to the assembly for displaying lamellar objects.

Document D4 describes a display assembly including two panels, one of which is transparent while the other is for use at the back, which panels are joined together by means of clips (13) (see figures 1 and 4). These clamps can be made of polycarbonate (column 2, lines 43-48). Similarly, document D4 also indicates that the material of the rear holder can be a flexible material such as a synthetic resin (column 2, lines 33-34). Polycarbonate is subsequently mentioned as one example of a resin that can be used.

In document D4, the description of the clamps 13 matches that of the clamps claimed in the present patent application, i.e. a first hook 36 (figure 4) extending rearwards from the base of the clamp, a bolt 40 (figure 5) at the opposite end and a second hook 41 (figure 5). The rear holder (12) also has apertures 30 into which bolts 40 can be inserted, as shown in figure 4, which

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also shows the tapered shape of said apertures.

Document D5 also relates to a display assembly notable for the triangular shape of the clips. As shown in figure 1, the general shape of the clip is similar to that of the clip according to the present invention, the first hook (6) also extends rearwards from the triangular construction, and the bolt (3) is inserted into angled bores in the rear holder (4). The same figure shows the bevel on both the cover and the supporting panel. Figure 2 of document D5 shows a profile member with a cross-section that is similar to that of figure 1 and has the same function of clamping the display assembly.

Document D6 describes a profile member useful for framing objects. The similarity between this profile member and the clip forming the subject matter of the invention is notable. Figure 2 of document D6 clearly shows the bevel on the frame (4).

Documents D7 and D8 relate to display assemblies of the same kind having features similar to those of the present invention.

In the light of the above discussion, a person skilled in the art could consider the combination of all of the features in claim 1 to be a routine design step. It follows that the subject matter of claim 1 does not involve an inventive step and thus fails to comply with the requirements of PCT Article 33(3).

The design features set forth in dependent claims 2, 3,

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6, 7, 8 and 9 are considered to be merely specific embodiments that would be obvious to a person skilled in the art aware of document D4 (for claims 2, 3, 6 and 7) and documents D5 and D6 (for claims 8 and 9).

The use of various drill shapes to attach the clamp to the rear panel described in claims 10, 11 and 12 is a routine measure in the prior art. Said use is reflected in figure 6 of D4 (tapered drill) and in the figures of documents D5, D6, D7 and D8.